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ABSTRACT

The manual is intended to guide attorneys and officials of school districts in the issuance and sale of school district bonds. Purchasers of school district bonds rely on the recommendations of accredited bond attorneys who render opinions concerning the validity and legality of bond issues offered for sale. This manual is designed to assist in complying with Oregon statutes in the authorization and issuance of school district bonds so that a favorable opinion on a bond issue may be obtained from such attorneys. This current edition updates the contents of previous publications and includes applicable statutory amendments enacted by the 1975 and 1977 legislative sessions. (Author/MLF)

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# OREGON SCHOOL BOND MANUAL

Fourth Edition

Spring 1978

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## FOREWORD

The *Oregon School Bond Manual* is intended to guide attorneys and officials of school districts in the issuance and sale of school district bonds. Purchasers of school district bonds rely upon the recommendations of accredited bond attorneys who render opinions concerning the validity and legality of bond issues offered for sale. This manual is designed to assist in complying with Oregon statutes in the authorization and issuance of school district bonds so that a favorable opinion on a bond issue may be obtained from such attorneys.

The first edition of the Oregon School Bond Manual was published in 1968 as a successor to the State Treasury Department's *Manual for Issuance of Bonds of School Districts of the State of Oregon.* This current edition updates the contents of the previous publications and includes applicable statutory amendments enacted by the 1975 and 1977 legislative sessions. The assistance of those who gave of their time and experience in preparing this publication, under the direction of Ed Sanford and Guy Waldroop of the Oregon Department of Education, Business Systems and Auxiliary Services Section, is greatly appreciated.

Verne A. Duncan
State Superintendent of
Public Instruction

## TABLE OF CONTENTS


| | Page |
|---|---|
| Foreword | iii |
| Order of Bonding Procedure | vi |
| Model Forms for Issuance of Bonds of School Districts of the State of Oregon | 1 |
| Purposes for Which School Bonds May Be Issued | 1 |
| School Bonds and Debt Limitations of School Districts | 1, 2 |
| Bond Maturities and Denominations | 2 |
| Bond Maturity Dates and Principal Instalments | 2 |
| Meetings of District School Boards | 2, 3 |
| Notice of Election and Method of Computing Time in the Giving of Notices | 3 |
| School Bond Elections | 4 |
| Opinions of Attorney General | 19, 20 |
| Oregon Revised Statutes and Supreme Court Decisions | 21 |
| Index | 23 |

## ORDER OF BONDING PROCEDURE


Page

Calling of Bond Election . . . . . 3

Election Procedure
- Notices of Election . . . . . 3
- Election Dates . . . . . 4
- Ballot . . . . . 7
- Determination and Declaration of Result of Election . . . . . 8

Authorization of Bond Issue By School Board . . . . . 8

Sale of Bonds . . . . . 10

Certificates Concerning
- Assessed Valuation of District . . . . . 14
- Indebtedness of District . . . . . 15, 16
- Signatures and Nonlitigation . . . . . 15, 16

Registration of Bonds . . . . . 16

Receipt for Proceeds of Sale of Bonds . . . . . 17

Authentication of Transcript of Bond Proceedings . . . . . 17

## MODEL FORMS FOR ISSUANCE OF BONDS OF SCHOOL DISTRICTS OF THE STATE OF OREGON

### (Either Callable or Noncallable)

\- - - - -

### Callable and Noncallable School Bonds

These proceedings may be used in the authorization and issuance of callable or noncallable bonds of school districts of the State of Oregon. If the bonds will not be subject to redemption prior to stated final maturity date, the proceedings outlined on the following pages hereof should be modified as follows:

Omit all underscored material on pages 8, 9, 10 and 15.

Underscoring is used upon the pages hereinabove indicated to denote material to be omitted if the bonds to be issued are not callable. The bond proceedings themselves should not contain underscored words.

If the bonds are registered in a home-rule county, the exact name of the county financial officer should be substituted for that of county treasurer on pages 9 and 16.

If the school district is a newly formed or a consolidated district, the written opinion of accredited bond attorneys approving the legality of the formation or consolidation of the district should be obtained before any steps are taken toward calling an election to submit to the voters of the district for approval, the issuance of bonds or negotiable interest-bearing warrants.

## PURPOSES FOR WHICH SCHOOL BONDS MAY BE ISSUED

**ORS 328.205. POWER TO CONTRACT BONDED INDEBTEDNESS; USE OF PROCEEDS TO PAY EXPENSES OF ISSUE. (1) Common and union high school districts may contract a bonded indebtedness for any one or more of the following purposes in and for the district:**

**(a) To acquire, construct, reconstruct, improve, repair, equip or furnish a school building or school buildings or additions thereto;**

**(b) To acquire or to improve all property, real and personal, appurtenant thereto or connected therewith, including school busses;**

**(c) To fund or refund outstanding indebtedness; and**

**(d) To provide for the payment of the debt.**

**(2) However, when a common or union high school district is found under ORS 327.103 not to be a standard school or when a school district is operating a conditionally standard school under subsection (3) of ORS 327.103, the school district may contract a bonded indebtedness only for the purposes enumerated in subsection (1) of this section that are approved by the Superintendent of Public Instruction.***

**(3) The school district may use the proceeds received from the sale of school district bonds to pay for any costs incurred by such school district in issuing and selling such bonds including, but not limited to, attorney fees and the cost of publishing notices of bond elections, printing such bonds and advertising such bonds for sale.**

**Note: Before submitting a bond issue to the voters for approval, the school district should apply to the School Standardization Section of the Oregon Department of Education on forms supplied by the Department, for approval of the proposed bonded indebtedness.*

## SCHOOL BONDS AND DEBT LIMITATIONS OF SCHOOL DISTRICTS

ORS 328.230 and 328.235, which relate to the issuance, execution of and interest on school bonds, read as follows:

**ORS 328.230. ISSUE OF BONDS UPON FAVORABLE VOTE. If a majority of the ballots cast in a school district bond election are marked "Bonds–Yes," the district school board, without further vote of the qualified voters shall issue negotiable coupon bonds of the district, at such time or times as the board shall direct.**

****ORS 328.235. INTEREST RATE: SIGNATURE: SIGNED INTEREST COUPONS. The bonds shall:**

**(1) Bear interest, not exceeding the rate authorized by ORS 288.510, payable semiannually.**

**(2) Be signed by the chairman of the district school board and attested by the district clerk or deputy clerk. Bonds of issues of $1 million or more may be executed with the facsimile signature of the chairman of the district school board and attested by the original signature of the district clerk or deputy clerk.**

**(3) Have annexed interest coupons bearing the original or facsimile signatures of the chairman of the district school board and district clerk or deputy clerk.**

**ORS 328.240. PLACE OF PRINCIPAL AND INTEREST PAYMENT. The principal and interest on district bonds are payable in lawful money of the United States of America at the office of the treasurer or fiscal officer of the county in which the major portion of the assessed valuation of the district is located at the time the bonds are issued as provided in ORS 287.008.**

If the district is a consolidated or reorganized district, the district school board, before calling a bond election, should determine definitely that the proposed bond issue, including bonds for which the consolidated or reorganized district remains liable, is within the bond limitations prescribed by law. The limitations are contained in ORS 328.245 and ORS 328.250, which read as follows:

**ORS 328.245. LIMITATION ON BONDED DEBT OF DISTRICTS GENERALLY. The aggregate amount of such district bonded indebtedness, including indebtedness authorized under ORS 328.213, shall not exceed the following**

***ORS 288.510 authorizes sale of bonds at not less than 98 percent of par value and at a net effective interest rate of not to exceed ten percent per annum. If preferable, or if all of the bond proceeds are deemed necessary for the purposes for which the bonds are issued, the district school board may provide for sale at not less than par value.*

percentages of true cash value of all taxable property within the district, computed in accordance with ORS 308.207:

(1) For each grade from kindergarten to eighth for which the district operates schools, fifty-five one-hundredths of one percent (.0055) of the true cash value.

(2) For each grade from the 9th to 12th for which the district operates schools, seventy-five one-hundredths of one percent (.0075) of the true cash value.

ORS 328.250. LIMITATION ON BONDED INDEBTEDNESS OF ENLARGED OR REORGANIZED SCHOOL DISTRICTS. In any school district created by merger or reorganization, the amount of bonded indebtedness and negotiable interest-bearing warrant indebtedness which may be incurred under ORS 328.245 shall be reduced by the amount of premerger, prereorganization, bonded indebtedness and negotiable interest-bearing warrant indebtedness for which any school district included in an enlarged or reorganized school district remains liable.

ORS 308.232 relating to the value at which real and personal property is assessed reads as follows:

ORS 308.232. VALUE AT WHICH PROPERTY IS TO BE ASSESSED. All real or personal property within each county shall be assessed at 100 percent of its true cash value.

## BOND MATURITIES AND DENOMINATIONS

ORS 287.008. MATURITIES AND DENOMINATIONS OF BONDS OF CITIES, SCHOOL AND COMMUNITY COLLEGE DISTRICTS. (1) All bonds issued by cities, school districts and community college districts shall be in serial form with definite maturities and shall mature in annual or semiannual instalments. If the governing body of the issuing city, school district or community college district so elects, the bonds may be issued with the option of redeeming them at par or with a premium not to exceed two percent, on and after certain interest-paying dates specified by the governing body therein, upon publication at least 30 days prior to contemplated redemption date of one notice of intended redemption in a newspaper published and generally circulated within the boundaries of the issuer, or, if there is no such newspaper, then in a newspaper having a general circulation within the county in which the city, school district or community college district is located. Such callable bonds may be called and refunded pursuant to any law authorizing such refunding. The first instalment of principal shall fall due and be payable not later than five, and the last instalment not later than 30, years from date of issue. The instalments of principal or the combined instalments of principal and interest shall conform to the following requirements:

(a) The instalments of principal shall either be equal or substantially equal in amount; or

(b) The combined instalments of principal and interest due in any year shall be as nearly as practicable in such sums as will permit of an equal annual tax levy for the retirement of the principal of and the payment of the interest on the bonds; or

(c) The combined instalments of principal and interest, when taken together with all existing tax-supported, general obligation debt requirements for principal and interest, shall be, as nearly as practicable, in such sums as will permit of a substantially uniform tax levy for the retirement of the principal of and the payment of interest on all tax-supported general obligation bonds. For the purposes of this subsection, all bonds which are wholly supported by revenue other than taxes may be excluded from consideration.

(2) Except for the issuance of bonds in odd denominations to complete the amount of an issue, bonds issued by cities, school districts and community college districts shall be in denominations that are multiples of $100 but if the principal amounts and maturities of the issues will permit, the bonds shall be in denominations of $500 or $1,000 each, or both, or in multiples thereof, in the discretion of the issuing authority.

*(Note: Subsections 3 and 4 (a) and (b) relate only to bonds of cities.)*

## BOND MATURITY DATES AND PRINCIPAL INSTALMENTS

A material saving in interest upon the bonds may be effected by scheduling the maturity and interest-payment dates thereof with tax-turnover dates. While that may necessitate the use of an odd or fractional first coupon upon each bond, it will eliminate the period during which funds for bond retirement lie idle or are invested at low interest rates while interest upon the issue at coupon rates continues to accrue. December and January are suggested as the most favorable months of the year for maturities of school bonds. Bonds should preferably be dated the first day of the month.

Inasmuch as the interest rate upon short-term municipal bonds is usually lower than upon long-term bonds, preference should be given to the issuance of bonds running over a period of from one to ten or fifteen years rather than to long-term bonds, provided the principal and interest instalments of such maturities do not entail too heavy a tax levy.

Printing costs may be saved and clerical work in handling the accounting for bonds and bond interest coupons may be lessened, particularly in large issues, if the bonds are issued in $5,000, instead of $1,000 denominations.

## MEETINGS OF DISTRICT SCHOOL BOARDS

Meetings of district school boards should be called or held strictly in accordance with the provisions of ORS 332.045, which reads as follows:

ORS 332.045. BOARD MEETINGS. The district school board must provide for the time and place of its regular meetings, at any of which it may adjourn to the next succeeding regular meeting or to some specified time prior thereto. Regular and special meetings may be convened upon notice in the manner required by ORS 192.640 by order of the chairman, upon the request of three members of the board at least 24 hours before such meeting is to be held or by common consent of the board members.

*(Note: If possible, elections for the purpose of voting upon bond issues should be called by the district school board at regular rather*

*than at special meetings of the board. If, however, the election must be called at a special meeting of the board and it is not possible to obtain the attendance of every member of the board at the meeting, care should be exercised to call and hold the meeting strictly in accordance with ORS 332.045 and ORS 192.610 to 192.650. If the board has previously fixed, by resolution or motion, a regular time and place of the holding of its meetings, the transcript should include a certified copy of the minutes of the meeting of the board at which the resolution or motion was adopted and an exact copy of the resolution or motion, as the case may be.)*

**ORS 192.640. PUBLIC NOTICE REQUIRED; SPECIAL NOTICE FOR EXECUTIVE SESSIONS, SPECIAL OR EMERGENCY MEETINGS. The governing body of a public body shall provide for and give public notice, reasonably calculated to give actual notice to interested persons, of the time and place for holding regular meetings. If an executive session only will be held, the notice shall be given to the members of the governing body, and to the general public, stating the specific provision of law authorizing the executive session. No special meeting shall be held without at least 24 hours' notice to the members of the governing body and the general public. In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances.**

The procedure followed by the Board in order to comply with ORS 192.640 is as follows:

### *NOTICE OF SPECIAL MEETING OF DISTRICT SCHOOL BOARD (Date)*

*A special meeting of the District School Board of School District No. , County, Oregon, is hereby called to be held at the at p.m. on (Day of Week) , the day of , 19 , for the purpose of considering the calling of an election to vote upon the question of issuance of general obligation bonds by the district for the purpose of*

(Here state the specific purpose of the proposed bond issue as authorized by ORS 328.205, copy of which appears on page 1 of this manual), *and of considering such other business as may be presented at the meeting.*

*By order of the Chairman of the District School Board (or by request of , and , members of the district school board, if called by three members of the board)* of School District No. , County, Oregon.*

*District Clerk*

**Note: Omit language in parenthesis if the meeting is called by order of the Chairman of the District School Board.*

### *CERTIFICATE CONCERNING SERVICE OF NOTICE OF SPECIAL MEETING OF DISTRICT SCHOOL BOARD*

*State of Oregon )*
*County of ) ss.*
*School District No. )*

*I, , hereby certify that I am the Clerk of School District No. , County, Oregon, and that on , 19 , I personally served upon the members of the District School Board of such district, notice of a special meeting of such board to be held at the (Place) at p.m., on the day of , 19 , of which notice the foregoing is an exact copy.*

*Dated and signed at , Oregon, this day of , 19 .*

*Clerk of School District No. , County, Oregon*

### *CONSENT TO MEETING*

*We, the undersigned members of the District School Board of School District No. , County, Oregon, hereby accept service of the foregoing notice; and we hereby waive any and all irregularities therein and in the service thereof and consent and agree that such board shall meet at the time and place therein named for the purposes stated in such notice.*

*Dated and signed this day of , 19 .*

*Member Dist. School Board* *Member Dist. School Board*
*Member Dist. School Board* *Member Dist. School Board*

## NOTICE OF ELECTION AND METHOD OF COMPUTING TIME IN THE GIVING OF NOTICES

ORS 328.215 specifies that notices of school district elections to vote upon bonds under ORS 328.205, or on negotiable interest-bearing warrants under ORS 328.213, shall be given as provided in ORS 259.080 to ORS 259.110.

**ORS 259.080. NOTICE OF DISTRICT ELECTION TO ELECT MEMBERS OF DISTRICT BOARD. When a district election is to be held for the purpose of electing members of the district board, the district election authority shall deliver to the election officer a notice stating the date of the election, the board positions to be voted upon and the latest date on which candidates for election as board members may file petitions or declarations as provided by ORS 259.070. The notice shall be delivered not more than 40 days nor less than 20 days before the last day for filing a petition for nomination or declaration of candidacy for election as a member of a district board. The election officer shall cause such notice to be published in the next available issue of the newspaper designated under ORS 259.100.**

**ORS 259.090. NOTICE AND CERTIFICATE OF DISTRICT ELECTION ON ISSUANCE OF BONDS OR ON ANY MEASURE.** (1) Except as otherwise provided in ORS 310.350, not later than the 40th day before a district election to be held on the same day as a state-wide primary or general election, or the 35th day before a district election to be held on any other day, at which the voters will approve or disapprove the issuance of bonds or a district election at which the voters will vote on any measure, the district election authority shall deliver to the election officer a notice and certificate stating the date of the election, a ballot title and statement of purpose, and a brief description of each matter to be submitted to the voters. The election authority, at its discretion, shall determine the nature and extent of the description of matters to be submitted to the voters.

(2) A notice and certificate of election called to approve the issuance of bonds shall include:

(a) The purpose for which the bonds are to be used;

(b) The amount and the term of the bonds;

(c) The kind of bonds proposed to be issued; and

(d) If the bond election is authorized by ORS 450.900, the additional notice requirements in ORS 450.905.

(3) The election officer, after the 35th day before the election, shall cause the notice to be published in the next available issue of the newspaper designated under ORS 259.100.

(Publication should be not more than 5 days after notice is received by the election officer if the paper is published daily, and not more than 7 days after receipt if the paper is published weekly.)

**ORS 259.100. PUBLICATION OF ELECTION NOTICE AND FACSIMILE OF SAMPLE BALLOT.** (1) Notice shall be published once in a newspaper of general circulation in the district. However, if there is a newspaper of general circulation that is published in the district, the notice shall be published in such newspaper. The district election authority shall designate such newspaper and shall notify the election officer of the designation in the notice provided for in ORS 259.080 and 259.090.

(2) The election officer also may cause notice of the election to be published by radio and television stations broadcasting in the district as provided by ORS 193.310 and 193.320.

(3) The information required in the notices provided for in ORS 259.080 and 259.090 may be delivered to the election officer in one notice and may be published in one notice.

(4) Not later than the day of the election nor sooner than the 15th day before the election, the election officer shall cause to be published a facsimile, except as to size, of the sample ballot, a list of the polling places and the hours the polls are to be open. The information shall be published once in a newspaper designated by the election authority under subsection (1) of this section at the current published local display advertising rate.

(5) The requirements of subsection (4) of this section shall be considered satisfied by publication of the facsimile of the sample ballot as part of the sample ballot published pursuant to ORS 249.356 or 250.121.

**ORS 259.110. NOTICE BY MAIL IN LIEU OF OR IN ADDITION TO NEWSPAPER PUBLICATION.** In lieu of or in addition to publication of notice as provided by ORS 259.080, 259.090 and 259.100, if it is expedient to do so the district election authority may cause notice to be given by mail to all qualified voters of the district. Mailed notice shall be deposited, postage prepaid, in the United States mails and shall be considered to have been given when so deposited. Mailed notice of a district election shall be made not more than 15 days nor less than 10 days prior to the date of the election. Proof of deposit in the mails shall be by affidavit of the district election authority or officer who deposited the notice in the mails. The affidavit shall state the time and place the notice was so deposited.

*(For conduct of elections, see SCHOOL BOND ELECTIONS below and ORS 259.120 to 259.260.)*

In computing the period of time for which the information required by ORS 259.100(4) must be published, the initial date of publication as well as the date of the proposed election, should be excluded. (ORS 193.060; In Re Board of Directors of North Unit Irrigation District, 91 Or 33, 178 Pac 186 (1919).

Suggested forms for notices and information to be published are shown on pages 6 and 7 of this manual.

The bond transcript should contain, at the proper place therein, publisher's affidavits of publication of the notice and information required to be published by ORS 259.090(3) and ORS 259.100(4), as well as a certificate of the election officer acknowledging the date of receipt of the notice and certificate required by ORS 295.090(1).

## SCHOOL BOND ELECTIONS

**ORS 331.002. APPLICATION OF ELECTION LAWS TO SCHOOL ELECTIONS; DUTIES OF COUNTY CLERK.** Unless the context clearly indicates otherwise, the provisions of the general election laws of this state, including ORS Chapter 259, apply to all school district elections. The county clerk of the principal county of a school district shall be the election officer for school district elections.

**ORS 331.115. DEFINITIONS FOR ORS 331.120 to ORS 331.170.** As used in ORS 331.120 to ORS 331.170, "principal county" means the county in which the chief administrative officer of the school district maintains his office.

**ORS 259.260. SPECIAL ELECTION DATES.** (1) A special election called by a district election authority shall be held on:

(a) The second Tuesday in January;

(b) The second Tuesday in March;

(c) The first Tuesday in April;

(d) The fourth Tuesday in May;

(e) The last Tuesday in June;

(f) The second Tuesday in August;

(g) The third Tuesday in September; or

**(h) The first Tuesday after the first Monday in November.**

**(2) Except as provided in section 1, chapter ___, Oregon Laws 1977, a district shall not hold a special election on any day not mentioned in subsection (1) of this section.**

The foregoing does not apply to new tax base elections. They are governed by Article XI, Section II (5) of the Oregon Constitution and ORS 310.402.

Specimen of minutes of a meeting of the district school board of a school district providing for the calling of an election therein for the purpose of voting on a bond issue.

*Minutes of meeting of the District School Board of School District No. , County, Oregon, held , 19 . The District School Board of School District No. , of County, Oregon, convened in session* (regular or special, as the case may be) *at* (Place) *in such district, county, and state, at the hour of p.m. on , 19 .*
*At the meeting the following-named persons were present:*

*Chairman of Board* *Member of Board*
*Member of Board* *Member of Board*
*Member of Board* *District Clerk*

(If the clerk or any member of the board was absent, statement should be made at this point to that effect, giving the name and official title of the person or persons absent.)

*The meeting was called to order by , Chairman of the board, after which motion was made by , was seconded by , and was unanimously adopted, that the following resolution be approved:*

*RESOLUTION*

*BE IT RESOLVED that the District School Board of School District No. , in the County of , State of Oregon, call an election to be held at the polling place or places designated by the County Clerk* of such county, on the day of , 19 , between the hours of , and 8 p.m., for the purpose of submitting to the qualified voters of such district, the question of issuing general obligation bonds according to the provisions of ORS 328.210, ORS 328.215, and ORS 328.230 to ORS 328.270, in the sum of Dollars ($ ), to mature serially over a period not to exceed years from issue date, for the purpose of providing funds with which to* (The exact purpose for which the indebtedness is to be incurred under authority of ORS 328.205, as shown on page 1 of this manual, should be stated in the foregoing paragraph, and the election notice and ballot should conform strictly thereto.)

*BE IT FURTHER RESOLVED that all notices of such election be published in the , a newspaper published and of general circulation in the district.** and that not less than 35 days before the election, the County Clerk of County, Oregon, be notified of the designation by the board of such newspaper as the paper in which the election notices are to be published; and*

*BE IT FURTHER RESOLVED that within the time required by ORS 259.100(4) the facsimile of the sample ballot, the list of polling places, and the hours the polls are to be open for such election be published in such newspaper.*

*There being no further business to consider, upon motion duly made, seconded and unanimously adopted, the meeting adjourned.*

*Chairman of District School Board*
*School District No. ,*
*, County, Oregon*

**Note: ORS 259.010(6) designates the County Clerk or Registrar of Elections, election officer of the district. He prepares the election proceedings, determines the polling places, and appoints the election boards for school district elections. (ORS 259.130 and 259.140.) See ORS 259.090 concerning elections held on statewide primary or general election dates.*

***Note: If no newspaper is published in the district, the wording should be changed to read: "a newspaper of general circulation in the district."*

*ATTEST:*

*District Clerk*

*State of Oregon )*
*County of ) ss.*
*School District No. )*

*I, District Clerk of School District No. , County, Oregon, hereby certify that the attached, consisting of pages, is an exact copy of such portion of the minutes of a (regular or special) meeting of the District School Board of such district held at , beginning at p.m. on the day of 19 , as pertains to a bond election to be held in such district on , 19 .*

*Dated and signed at , Oregon, this day of 19 .*

*District Clerk of*
*School District No. ,*
*County, Oregon*

**ORS 247.145. CERTIFICATE OF REGISTRATION FOR PERSON NOT REGISTERED OR FOR PERSON CHANGING RESIDENCE WITHIN STATE. (1) Any person who is not registered but is otherwise qualified to vote, or any person who changes his residence within the state and who does not reregister, shall be permitted to vote at the ensuing election if he obtains a certificate of registration from the county clerk. Upon delivery of the certificate to the election board of the precinct in which he is currently resident, the elector shall be permitted to vote the entire ballot or ballots issued to that precinct.**

**(2) Any person referred to in subsection (1) of this section is permitted to obtain a separate certificate for each election held during the closed registration period.**

*CERTIFICATE AND NOTICE*
*CONCERNING BOND ELECTION*
*OF SCHOOL DISTRICT NO.*
*County, Oregon*
*TO BE HELD 19 .*

*CERTIFICATE*

*We, the District School Board of School District No. , County, Oregon, and election authority for such district, hereby certify that pursuant to a resolution duly adopted by said board at a regular meeting thereof held at the (place of meeting) in such district beginning at 8:00 p.m. on , 19 , a bond election will be held throughout such district between the hours of 8:00 a.m. and 8:00 p.m. on , 19 . Notice of such election shall be published in substantially the following form:*

*NOTICE OF BOND ELECTION*
*SCHOOL DISTRICT NO.*
*County, Oregon*

*At a special election to be held in School District No. , County, Oregon, between the hours of 8:00 a.m. and 8:00 p.m. on , the day of , 19 , the following question will be submitted to the legal voters of such district under the following ballot title:*

*SCHOOL DISTRICT NO.*
*BUILDING BONDS*

*Shall School District No. , County, Oregon, contract an indebtedness of not to exceed $ in general obligation bonds to mature serially over a period of not to exceed years from issue date for the purpose of providing funds with which to (state here the purpose of the bond issue). EXPLANATION OF THE BALLOT QUESTION*

*The purpose for which the proceeds of the bond issue will be used is set forth in the above ballot title; the principal amount of the bond issue is $ ; the term of the bonds will not exceed years from issue date; and the bonds will be general obligations of the school district.*

*County Clerk of County*

*NOTICE IS HEREBY GIVEN TO THE ELECTION OFFICER of School District No. that the District School Board of the above-named district has designated the as the newspaper in which the foregoing notice of bond election and the sample ballot title therefor shall be published.*

*By order of the Board of Directors of School District No. , County, Oregon.*

*DATED and SIGNED at this day of , 19 .*

*Chairman,*
*District School Board*

*ATTEST:*

*District Clerk*

A signed or certified copy of the foregoing notice and certificate should be delivered to the appropriate County Clerk in accordance with ORS 259.090. For method of computing such period of time, see page 4 of this manual.

Following is a copy of a suggested form of letter to the County Clerk, transmitting to him such notice and certificate:

*County Clerk of County*
*Courthouse*
*, Oregon 97 .*

*Dear*

*In conformity with ORS 259.090 we hand you herewith, Notice and Certificate of a bond election to be held by School District No. , County, Oregon, on , 19 , together with facsimile of sample ballot for such election.*

*The Notice is to be published in the next available issue of the , following the date of receipt by you of this letter with enclosures.*

*The facsimile of the sample ballot, with list of the polling places and statement of the hours that the polls for such elections will be open, are to be published by you as elections officer, within the time limit prescribed by ORS 259.100(4).*

*Very truly yours,*

*Clerk of School*
*District No. ,*
*County, Oregon*

*Receipt of the original of this letter with enclosures is hereby acknowledged this day of 19 .*

*County Clerk of*
*County, Oregon*

The county clerk will publish the sample ballot and will prepare the form of the official ballot for the bond election. Following is a form of such sample ballot.

*SAMPLE OFFICIAL BALLOT*
*FOR*
*SCHOOL DISTRICT BOND ELECTION*
*held in*
*School District No. , of the County of , State of Oregon*
*on the*
*Day of , 19 .*

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*QUESTION SUBMITTED TO THE QUALIFIED VOTERS OF THE DISTRICT*

*SCHOOL DISTRICT BOND ISSUE*

*Shall School District No. of County, State of Oregon, contract an indebtedness in the sum of not to exceed $ in general obligation bonds to mature serially over a period not to exceed years from issue date, to provide funds with which to construct, equip, and furnish a school building or school buildings in and for such district?* (If the purpose of providing funds is other than as hereinabove shown, a statement of such purpose should be substituted for that stated.)

---

*The voter shall place a cross (X) or a check mark (✓) between the words "BONDS" and the word "YES" or between the word "BONDS" and the word "NO," whichever indicates his choice.*

---

*BONDS ☐ YES*
*BONDS ☐ NO*

**Note: If the school district has a name by which it is generally known or designated, the name or designation should be shown here. The ballot caption including the name should not exceed six words (ORS 259.180).*

Accompanying the sample ballot should be a list of the polling places and the hours the polls are to be open (ORS 259.100(4).

Both the resolution providing for the calling of the bond election and the ballot should state the purpose for which the funds to be derived from the school bonds are to be used. ORS 328.205 provides such funds may be used to: (a) acquire, construct, reconstruct, improve, repair, equip, or furnish a school building or school buildings or additions thereto; (b) to acquire or to improve all property, real and personal, appurtenant thereto or connected

therewith, including school busses; (c) to fund or refund outstanding indebtedness; and (d) to provide for the payment of the debt. Such funds also may be used to pay the costs of issuing and selling the bonds. See page 1 of this manual.

## *DETERMINATION AND DECLARATION BY DISTRICT SCHOOL BOARD OF RESULT OF SCHOOL BOND ELECTION*

*State of Oregon )*
*County of ) ss.*
*School District No. )*

*We, the undersigned, constituting the District School Board of School District No. in the County of , State of Oregon, hereby certify that on , 19 , we received from the County Clerk of the County of , State of Oregon, copies of abstracts of the votes cast at the bond election held in such district on the day of , 19 ; that we have determined therefrom that votes were cast at such election of which were "Bonds X Yes" and were "Bonds X No"; and that the majority of votes cast at such election in favor of the issuance of such bonds was . We, therefore, declare that issuance of $ in general obligation bonds of such district to mature serially over a period not to exceed years from issue date was approved by the qualified voters of such district at such election.*

*Signed in triplicate this day of , 19 .*

*DISTRICT SCHOOL BOARD OF SCHOOL DISTRICT NO. ,*
*COUNTY, OREGON*

*Chairman of Board* *Member of Board*
*Member of Board* *Member of Board*
*Member of Board*

*ATTEST:*

*District Clerk*

*State of Oregon )*
*County of ) ss.*
*School District No. )*

*I, , District Clerk of School District No. in County, Oregon, hereby certify that the attached copy of Determination and Declaration of Result of the election held in such district on is a true copy of the whole of the original thereof.*

*Dated and signed at , Oregon, this day of , 19 .*

*The District School Board of School District No. , County, Oregon, met in* (regular or special) *session at the on 19 , with Chairman presiding.*

*Director moved adoption of the following resolution authorizing issuance of $ in general obligation building bonds of the district.*

## *RESOLUTION AUTHORIZING ISSUANCE OF BONDS*

*WHEREAS, this Board submitted to the legal voters of the district at an election the question of contracting a general obligation bonded indebtedness in the sum of $ for the purpose of , and .*

*WHEREAS, the election was duly and legally held on the day of , 19 , and the county elections officer has certified and reported the result thereof to this Board, and this Board has declared that issuance of school bonds in such sum has been approved by a majority of the qualified voters of such district voting at the election,*

*NOW, THEREFORE, BE IT RESOLVED by the District School Board of School District No. , County, Oregon, that for the above purposes the district school board issue general obligation bonds in the amount of Dollars ($ ), to be dated , 19 , to be numbered consecutively from (1) to ( ) inclusive, to be in denominations of each, and to mature serially in numerical order as follows:*

(insert maturity schedule)

*[with the right reserved to the district, however, at its option, to redeem in* (insert regular or inverse) *numerical order at par and accrued interest on , 19 , and on any interest payment day thereafter, any or all of the bonds of such issue maturing after , 19 ;]* (bracketed clause only if bonds callable); *and be it further*

*RESOLVED that each of the bonds be personally signed with the manual signature of the chairman of the board in office on the date of execution of such bonds; that each of the bonds be attested in like manner by the clerk of the district in office on such date; that the coupons appertaining to the bonds be executed with the facsimile signatures of such chairman and clerk; and that each of the bonds be registered in the form and manner required by the laws of the State of Oregon, by the treasurer or county fiscal officer of County, State of Oregon; and be it further*

*RESOLVED that the full faith and credit of the district are pledged to the successive holders of each of the bonds and of the interest coupons appertaining thereto, for the punctual payment of such obligations, when due; and that the district shall levy annually, as provided by law, a direct ad valorem tax upon all of the taxable property within the district in sufficient amount, after taking into consideration discounts taken and delinquencies that may occur in the payment of such taxes, to pay the bond and bond interest obligations promptly as they respectively mature; and that the district covenants with the holders of its bonds, to levy such a tax annually during each year that any of the bonds, or of bonds issued to refund them, and bond interest obligations are outstanding; and be it further*

*RESOLVED that such bonds and the coupons attached thereto be in substantially the following form:*

*UNITED STATES OF AMERICA*
*STATE OF OREGON*
*COUNTY OF*
*SCHOOL DISTRICT NO.*
*GENERAL OBLIGATION BUILDING BOND*

*School District No. , in the County of , State of Oregon, acknowledges itself indebted and for value received hereby promises to pay to bearer on the day of , 19 , the sum of*

*FIVE THOUSAND DOLLARS*

*with interest thereon from the date hereof at the rate of percent ( %) per annum, on the first day of and the first day of in each year until maturity, upon surrender of the annexed interest coupons as they severally mature. The principal of and the interest upon this bond are payable in lawful money of the United States of America, at the office of the of County, Oregon, in the city of , Oregon.*

*[THE BONDS of the issue of which this bond forms a part, maturing after , 19 , may be redeemed by the district, at par value and accrued interest to the date of redemption, on , 19 , and on any interest payment day thereafter, in* (insert regular or inverse) *numerical order, upon notice given at least thirty (30) days prior to the redemption date specified therein, by publication thereof in one issue of a newspaper specializing in financial matters published in the City of Portland, Oregon, and in a newspaper published and generally circulated in School District No. , State of Oregon.* From the date of redemption designated in any such notices, interest upon the bonds so called for payment shall cease.]* (bracketed paragraph only if bonds callable).

*THIS BOND is one of a series aggregating Dollars ($ ) par value, issued to provide funds to acquire, construct, reconstruct, improve, repair, equip or furnish a school building** in and for such school district on the grounds of such district, pursuant to the constitution and laws of the State of Oregon, and particularly Chapter 328, Oregon Revised Statutes, and pursuant to an approving vote of a majority of the qualified voters of such district voting at a special election duly called and legally held therein on the day of , 19 .*

*IT IS HEREBY CERTIFIED, RECITED, and DECLARED that all conditions, acts, and things required to exist, to happen, and to be performed precedent to and in the issuance of this bond have existed, have happened, and have been performed in due time, form, and manner as required by the constitution and statutes of the State of Oregon; that the issue of which this bond is a part, and all other obligations of such district, are within every debt limitation and other limits prescribed by such constitution and statutes; and that the district school board has provided for the levying annually of a direct ad valorem tax upon all the property within the district so taxable for its purposes, in sufficient amount to pay the interest on and the principal of the bonds of such issue, as such obligations respectively become due and payable.*

*IN WITNESS WHEREOF, the District School Board of School District No. , County, Oregon, has caused this bond to be signed by its chairman and attested by its clerk, and has caused the annexed interest coupons to be executed with the facsimile signatures of such officers this day of , 19 .*

*Chairman of District School Board of School District No. , County, Oregon.*

*ATTEST:*

*District Clerk*

*Registered:*

*Treasurer (or fiscal officer) of*

*County, Oregon*

**Note: If no newspaper is published in the district, replace with "newspaper of general circulation in the County of , State of Oregon."*

***Note: State from one or more of these general terms the exact purpose for which funds are to be used.*

*FORM OF BOND COUPON*

*On the first day of , 19 , School District No. , County, Oregon, upon surrender of this coupon at the office of the of County, Oregon, in the City of , Oregon, will pay to bearer the sum of Dollars ($ ), in lawful money of the United States of America, for interest then due on its General Obligation Building Bond, dated , 19 , and bearing No. .*

*Chairman, District School Board*

*ATTEST:*

*District Clerk*

For coupons maturing after initial call date, on callable bonds, insert at the beginning of the coupon the following:

*Unless the bond hereinafter designated shall previously have been called for payment and due provision made for the payment thereof,*

*and be it further*

*RESOLVED that the clerk of the district cause to be published in the , a newspaper of general circulation printed and published in the City of , County of , State of Oregon, and in The Daily Journal of Commerce,* (Publish notice or summary in The Daily Bond Buyer, N. Y., rather than DJC, if issue is over $3,000,000) *Portland, Oregon notices of proposed sale of the bonds, as provided by law, in the form substantially as shown on Exhibit A attached hereto and by this reference incorporated herein, specifying that sealed bids will be received by the clerk up to and including the hour of o'clock p.m. on the day of , 19 , and that immediately thereafter bids received will be publicly opened by the board for the sale of the bonds, at not less than the par value thereof (or 98% of par value) and the accrued interest thereof, at an interest rate or rates in multiples of one-eighth of one percent or one-twentieth of one percent, not exceeding a net effective rate of percent per annum, payable semiannually on and ; that the bids shall be accompanied by a cashier's check or certified check, of or upon a bank doing business in the State of Oregon, in the sum of $ (not less than 2% of the par value of the bonds) to be forfeited to the district in case the bidder fails to complete his purchase in accordance with the terms of his bid; that bids must be unconditional except as to qualification of approval of validity of the bond issue by bond attorneys; that bids must show the total cost of the bond issue to the district, including interest less premium offered, if any, [plus discount, if any]* (bracketed clause only if less than par bids allowed), *provided the bid be accepted [and no callable bonds of the issue are redeemed prior to the maturity dates thereof];* (insert if bonds callable); *that the bonds will be sold to the bidder whose bid will result in the lowest net interest cost to the district; and that the board reserves the right to reject any or all bids.*

*There being no further business to come before the meeting, upon motion duly made, seconded, and carried, the meeting adjourned to reconvene at p.m. on , 19 , for the purpose of opening and disposing of bids received for the bonds.*

*Chairman of the District School Board of School District No. , County, Oregon*

*ATTEST:*

*District Clerk*

The bonds of school districts are sold in accordance with ORS 287.014 to ORS 287.026.

**ORS 328.295. SALE OF BONDS AND INTEREST-BEARING WARRANTS. All school bonds, including funding and refunding bonds, notes and negotiable interest-bearing warrants which have been specifically authorized by vote of the qualified voters, shall be advertised for sale and sold in the manner prescribed in ORS 287.014 to 287.026.**

**ORS 287.014. DEFINITIONS FOR ORS 287.014 TO 287.026. As used in ORS 287.014 to 287.026, unless the context requires otherwise:**

**(1) "Bond" means a general obligation note or a bond supported by the full faith and credit of the issuer.**

**(2) "Issuer" includes the state, cities, counties, common and union high school districts, community college districts, special districts, authorities, and other municipal corporations authorized by law to issue general obligation bonds.**

**ORS 287.016. MANNER OF ISSUANCE. Bonds of any issuer shall be issued in the manner provided in ORS 287.014 to 287.026.**

**ORS 287.018. PRELIMINARY OFFICIAL STATEMENT REQUIRED FOR GENERAL OBLIGATION ISSUES. For general obligation issues:**

**(1) The issuer shall prepare and make available upon request to bidders and investors a preliminary official statement that includes the following:**

**(a) Past and current financing and estimated future financing of the issuer;**

**(b) Brief description of the financial administration and organization of the issuer;**

**(c) Brief description of the economic and social characteristics of the issuer which will permit bidders and investors to appraise the issuer's ability to assume and service adequately the debt obligation; and**

**(d) Any other information the issuer may provide or which the Oregon Municipal Debt Advisory Commission may require by rule.**

**(2) The preliminary official statement described in subsection (1) of this section shall be available not later than the date of first publication of the notice of bond sale.**

**(3) The preliminary official statement shall contain the best available information which shall be accurate to the best knowledge of the issuer. However, any errors or omissions in the preliminary official statement shall not affect the validity of the bond issue.**

Note: The transcript of proceedings of the bond issue should contain an acknowledgment from the Oregon Municipal Debt Advisory Commission that a copy of the prospectus referred to in ORS 287.018 was filed with the commission prior to the date of first publication of the notice of bond sale, or a certificate from the school district clerk that the prospectus was available prior to the date of first publication of the notice of bond sale.

ORS 287.020. ASSISTANCE BY OREGON MUNICIPAL DEBT ADVISORY COMMISSION; EXPENSES. (1) The issuer may request the Oregon Municipal Debt Advisory Commission to prepare the preliminary official statement described in ORS 287.018 and shall provide the commission with the information required by ORS 287.018.

(2) The issuer may request the Oregon Municipal Debt Advisory Commission to prepare the notice of bond sale required by ORS 287.022 and 287.024. However, the responsibility for publication, advertising and distribution of the notice of bond sale shall remain with the issuer.

(3) The commission may charge the issuer a fee commensurate with expenses incurred in the preparation, publication and distribution of a preliminary official statement or notice of bond sale prepared pursuant to subsection (1) or (2) of this section.

ORS 287.022. REQUIREMENTS FOR NOTICE OF BOND SALE; BIDS REQUIRED. (1) The issuer shall prepare a notice of bond sale which shall specify:

(a) The time, date and place where bids will be received, and considered and acted upon, the total amount of bonds, and the denominations of the bonds;

(b) The issue date, maturity dates and amounts, interest payment dates, and place of payment of the bonds;

(c) The date of optional redemption, if any, the call price premium, if any, and the order of bond redemption and place of redemption;

(d) The maximum effective rate of interest and the minimum percentage of par value of the bonds which may be bid, which shall not be less than 98 percent of par value plus accrued interest;

(e) The required good faith deposit by certified or cashier's check on a bank doing business in this state in the amount not less than two percent of the par value of the bonds, or $500,000, whichever is the lesser;

(f) Such constraints on the coupon rates as the issuer may impose;

(g) The interest basis and definition thereof on which bond bids are to be awarded; and

(h) The name of bond counsel, if any, who will furnish the legal opinion.

(2) The notice of sale may contain:

(a) The name of the person who will furnish financial data;

(b) Coupon rate multiples;

(c) Registration provision, if any;

(d) Bid forms availability;

(e) Estimated delivery date and place;

(f) Procedure for awarding tie bids;

(g) Such other conditions as the issuer may impose;

(h) The statute and ordinance, if any, pursuant to which the bonds are to be issued; and

(i) The purpose of the bonds.

(3) Bids submitted must be for all bonds offered for sale. All bids are to be unconditional and to be submitted in writing in a sealed envelope clearly marked as a proposal for bonds.

ORS 287.024. NOTICE; PUBLICATION. Except for the state:

(1) The issuer shall cause the notice of bond sale to be published in one or more newspapers published and circulated within the boundaries of the issuer, but if there is no such newspaper, then in a newspaper having general circulation within the boundaries of the issuer.

(2) The notice of bond sale shall be published in at least two issues of the designated newspaper. The first publication shall be not more than 25 calendar days or less than 15 calendar days preceding the date of bond sale and the last publication shall be not more than 14 calendar days nor less than eight calendar days preceding the date of bond sale.

(3) In addition to the publication described in subsection (1) of this section, a notice or summary of the notice shall be published in a business and financial newspaper published in Portland, Oregon, not more than 25 calendar days nor less than 15 calendar days preceding the date of bond sale. If a summary is published under this subsection, it must specify the location where the complete notice of sale is published.

(4) For issues of $3 million or more par value, a notice or summary of the notice of bond sale shall be submitted for publication in at least one issue of a national financial newspaper not less than 20 calendar days preceding the date of bond sale. This notice may be in lieu of the notice otherwise required under subsection (3) of this section.

(5) Copies of the complete notice of sale shall be furnished upon request to bidders, investors and the public.

ORS 287.026. BIDS AS PUBLIC RECORD; TO WHOM SALE MADE; TIME OF SALE; REJECTION OF BIDS. (1) All bonds shall be awarded by public competitive sale on the basis described in the notice of sale. All bids must be entered into the public record of the issuer.

(2) All bids shall be publicly opened at the time and place specified in the notice of sale. The bonds shall be sold to the responsible bidder whose bid will result in the lowest interest cost to the issuer, as defined in the manner set forth in the notice of sale, and taking into consideration any premium or discount bid. Unless all bids are rejected, the sale must be acted upon within four hours of the time the bids are opened.

(3) The issuer may reject any or all bids and readvertise the sale of bonds in the manner required by chapter 642, Oregon Laws 1975. The issuer shall make public the reasons why any or all bids are rejected.

ORS 288.510. BOND INTEREST RATE; SALE VALUE. Except as specifically provided to the contrary by ORS 777.570, 777.575 and ORS 778.145 to 778.175, all bonds issued by this state, a city or its agency, a county, a port, a political subdivision or any other public

**corporation, shall bear interest at not to exceed a net effective rate of 10 percent per annum payable semi-annually and shall be sold at not less than 98 percent of par value.**

*OFFICIAL NOTICE OF BOND SALE*
*$*
*SCHOOL DISTRICT NO.*
*COUNTY*
*STATE OF OREGON*
*GENERAL OBLIGATION BUILDING BONDS*

*Notice is hereby given that sealed bids will be received on behalf of School District No. , County, Oregon, until o'clock .m* (Prevailing Pacific Time) *on , 19 , at the offices of , , , Oregon, , at which time they will be publicly opened and announced.*

*The bids shall be considered and acted upon by the Board of the District at its meeting to be held on , 19 , commencing at o'clock .m* (Prevailing Pacific Time).

*ISSUE: DOLLARS ($ ) consisting of coupon bonds in denominations of FIVE THOUSAND DOLLARS ($5,000), all dated*

*INTEREST RATE: Maximum not to exceed a net effective rate of percent ( %) per annum, the first interest payment due on and semi-annually thereafter on 1 and 1 of each year. Bidders must specify the interest rate or rates which the bonds hereby offered for sale shall bear. The bids shall comply with the following conditions: (1) Each interest rate specified in any bid must be in multiples of 1/8th or 1/20th of one percent (1%), not exceeding a net effective rate of percent ( %) per annum; (2) No bond shall bear more than one rate of interest, no interest payment shall be evidenced by more than one coupon, and supplemental coupons will not be permitted; (3) Each bond shall bear interest from its date to its stated maturity date at the interest rate specified in the bids; (4) All bonds maturing at any one time shall bear the same rate of interest; and (5) The difference between the highest and lowest rates bid shall not exceed percent ( %).*

*MATURITIES: The bonds shall mature serially in numerical order as follows:*

*AMOUNT DATE AMOUNT DATE*

(insert maturity schedule)

*REGISTRATION: The bonds will be issued in bearer form with no option for registration.*

*REDEMPTION:* (Insert if applicable) *The District reserves the right to redeem any or all of the bonds then outstanding in inverse numerical order on the following interest payment dates and at the following prices expressed as a percentage of the principal amount, plus accrued interest to the date of redemption:*

*(On and on any interest payment date thereafter at 100% [or at premium].)*

*Notice of any such intended redemption shall be given by [mailing a notice thereof to Moody's Investors Service, Inc., and Standard & Poor's Corporation, New York, New York, not less than thirty (30) days prior to the redemption date, and by]* (bracketed clause only if over $2,000,000) *publication of such notice at least once, not less than thirty (30) days prior to said redemption date, in a newspaper specializing in financial matters published in the City of Portland, Oregon, and in a newspaper of general circulation in County, Oregon. Interest on any bond or bonds so called for redemption shall cease on such redemption date unless the same are not redeemed upon presentation made pursuant to such call.*

*PAYMENT: Principal and interest are payable [, either at maturity or upon earlier redemption,]* (bracketed clause if bonds callable) *in lawful money of the United States at the office of the treasurer or fiscal officer of County, Oregon.*

*PURPOSE: The bonds were authorized at a special election held within the District on , 19 , to authorize bonds for* (Insert purpose.)

*SECURITY: The bonds of this issue are general obligation bonds of the District. The District has covenanted to levy an ad valorem tax annually to pay bond principal and interest as they respectively come due.*

*LEGAL OPINION: The approving opinion of , Attorneys at Law, of Portland, Oregon, will be provided at no cost to the purchaser, and will be printed on the bonds at the expense of the District.*

*TAX EXEMPT STATUS: Interest on the bonds, in the opinion of bond counsel, is exempt from taxation by the United States under present federal income tax laws and from personal income taxation by the State of Oregon under present state law.*

*BEST BID: The bonds will be awarded to the responsible bidder whose proposal will result in the lowest net cost to the District. The successful bid will be determined by computing the total amount of interest which the District would be required to pay from the date of each bond to its respective maturity date at the coupon rate or rates specified in the bid assuming no bonds are called prior to maturity, less premium offered, [and plus discount,] if any.* (Insert bracketed clause only if discount bids allowed.) *The purchaser must pay accrued interest, computed on a 360-day basis, from the date of the bonds to the date of delivery. The cost of printing the bonds will be borne by the District.*

*DELIVERY: Delivery of the bonds will be made without cost to the successful bidder at such bank in the City of Portland, Oregon, as the succe sful bidder shall name. Payment for the bonds must be made in federal funds. Delivery will be made within thirty days.*

*FORM OF BID: All bids must be for not less than all the bonds hereby offered for sale, and for not less than one hundred percent (100%)* (or 98% if discount bids are permitted) *of the par value thereof and accrued interest to the date of delivery. Each bid together with bidder's check as herein specified must be enclosed in a sealed envelope addressed to the District and designated "Proposal for Bonds." Bids must be received by . m.,* (Prevailing Pacific Time),

*BID CHECK: All bids must be unconditional and accompanied by a certified or cashier's check on a bank doing business in the State of Oregon for Dollars ($ ) payable to the order of the District to secure the District from any loss resulting from the failure of the bidder to comply with the terms of its bid. In addition, bidders are requested to supply the total interest costs and net effective interest rate, based upon the aggregate interest cost that the District will pay upon the issue if the bid is accepted. Such information shall be considered as informative only. Checks will be forfeited to the District as liquidated damages in case the bidder to whom the bonds are awarded shall withdraw its bid or fail to complete its purchase in accordance with the terms thereof. No interest shall be allowed on the deposit but the check of the successful bidder will be retained as part payment of the bonds or for liquidated damages as described above. Checks of the unsuccessful bidders will be returned by the District promptly after award of bid.*

*RIGHT OF REJECTION: The District, by its Board, reserves the right to reject all bids.*

*OFFICIAL STATEMENT: The District has prepared an official statement relating to the bonds, a copy of which will be furnished upon request to its financial consultant, , or to the undersigned.*

*CUSIP: CUSIP numbers will be imprinted upon all bonds of this issue at the purchaser's request and expense. An improperly imprinted number will not constitute basis for the purchaser to refuse to accept delivery.*

*NO LITIGATION: At the time of payment for the delivery of said bonds, the District will furnish the successful bidder a certificate that there is no litigation pending affecting the validity of the bonds.*

*FURTHER INFORMATION: Additional information regarding the School District and this sale may be obtained from (name) (address) (telephone number) . (Insert if issue is less than $1,000,000.)*

*School District No. ,*
*County,*
*Oregon*

*MINUTES OF MEETING OF DISTRICT SCHOOL BOARD OF SCHOOL DISTRICT NO. , COUNTY, OREGON , OREGON, , 19*

*Pursuant to adjournment of a meeting of the District School Board of School District No. , County, Oregon, held on , 19 , and by common consent of the members of such board, a meeting of such board was held at the school building in such district beginning at the hour of m. on , 19 . The following named members of such board and the clerk of the district were present:*

*Chairman of the Board* *Member of the Board*
*Member of the Board* *Member of the Board*
*Member of the Board* *District Clerk*

*The meeting was called to order by the chairman of the board. Following the reading of the minutes of the previous meeting of the board, the board opened the sealed bids received by the clerk of the district, pursuant to advertisement of sale of bonds of the district.*

*The following bids for such bonds were received:*

*Name of Bidder*

*Interest Rate Offered*

*On Maturities*

*Total Cost to District If Bid Is Accepted*

*Effective Interest Rate Based Upon Price Offered*

*The board determined that the most favorable bid received for the bonds was that of . Accordingly, upon motion duly made, seconded, and unanimously adopted, such bid was accepted. Thereupon, offered and moved approval of the following resolution, which motion was duly seconded and unanimously adopted, to wit.*

*RESOLUTION*

*BE IT RESOLVED that the $ , in bonds of School District No. , County, State of Oregon, sold on the day of , 19 , be issued to bear the date of , 19 , and interest at the following rates: percent per annum for bonds maturing in the years to inclusive, percent per annum for bonds maturing in the years to inclusive.*
(Show the interest rates for the respective maturities.)

*There being no further business to come before the meeting, upon motion duly made, seconded, and adopted, the meeting adjourned.*

*Approved , 19*
*Chairman of District School Board, School District No. , County, Oregon.*

*ATTEST:*

*District Clerk*

*ASSESSOR'S CERTIFICATE OF TRUE CASH VALUE OF ALL TAXABLE PROPERTY IN SCHOOL DISTRICT NO. , COUNTY, OREGON*

*State of Oregon )*
*County of ) ss.*

*I, the undersigned, County Assessor of County, Oregon, hereby certify that according to the assessment records of such county, the true cash value of all taxable property within School District No. of County, Oregon, as of January 1 of the year , the latest year for which such value has been officially determined, was $ .*

*IN WITNESS WHEREOF, I have hereunto set my hand this day of , 19 .*

*County Assessor of County, Oregon*

## *SIGNATURE AND NONLITIGATION CERTIFICATE*

*We, the undersigned officers of School District No. , of the County of , State of Oregon, indicated hereunder by the official titles opposite our names, hereby certify that on the day of , 19 , we officially signed the following described General Obligation Building Bonds of School District No. , of the County of , State of Oregon, dated , of the denomination of $ each:*

*Bond Numbers* *Maturity Date*

*Interest Rate* *Optional Redemption Date*

*Par Amount*

*WE FURTHER CERTIFY that, we are now and on the date of signing such bonds, we were the duly chosen, qualified, and acting officers indicated in such bonds and were fully authorized to execute such bonds and that the facsimile signature of , Chairman of the District School Board, and of , Clerk, of such district, are upon all of the coupons of such bonds.*

*WE FURTHER CERTIFY that no litigation of any nature is now pending or threatened restraining or enjoining the issuance or delivery of the bonds or the levy and collection of any taxes to pay the interest on or principal of the bonds, or in any manner questioning the authority or proceedings for the issuance of the bonds or for the levy or collection of such taxes, or affecting the validity of the bonds or the levy or collection of the taxes; that neither the corporate existence or boundaries of the Issuer nor the title of any of the present officers thereof to their respective offices is being contested; that no authority or proceedings for the issuance of the bonds has or have been repealed, revoked or rescinded; and that no bonds of the Issuer have been heretofore issued under or pursuant to such proceedings.*

*Done and delivered at , this day of , 19 .*

*Manual Signature* *Official Title*
*, Chairman of District School Board of School District No. , County, Oregon*
*, District Clerk of School District No. , County, Oregon*

*I hereby certify that I am ; that I am acquainted with the persons whose signatures appear above; that I know that they are now and, at the time of signing, they were, the duly qualified and acting officers of the above-named school district, as indicated by their titles, and I hereby identify such signatures, together with the signatures on the above-described bonds, as being in all respects true and genuine, and the signatures on the coupons annexed to such bonds as being facsimiles of such signatures.*

*Dated at , Oregon, this day of , 19 . (City) , County, Oregon*

(Title)
*Bank*

## *CLERK'S CERTIFICATE OF OUTSTANDING INDEBTEDNESS OF SCHOOL DISTRICT NO. , COUNTY, OREGON, AND OF GRADES TAUGHT THEREIN*

*State of Oregon )*
*County of ) ss.*
*School District No. )*

*I, the undersigned, clerk of School District No. , County, Oregon, hereby certify that the present indebtedness of such school district, including the indebtedness of all school districts that have been consolidated with such district, but excluding the issue of $ of bonds of such district, to be dated is as follows:*

| | |
|---|---|
| *Bonds Outstanding* | *$* |
| *Negotiable Interest-Bearing Warrant* | *$* |
| *Indebtedness Outstanding* | *$* |
| *Other Indebtedness Outstanding* | *$* |
| *Total* | *$* |

*I further certify that such school district operates a school (or schools) for grades numbered to inclusive.*

*WITNESS MY HAND this day of , 19 .*
*Clerk of School District No. , County, Oregon*

*COUNTY TREASURER'S CERTIFICATE OF OUTSTANDING INDEBTEDNESS OF SCHOOL DISTRICT NO. , COUNTY, OREGON*

*State of Oregon )*
*County of ) ss.*

*I, , hereby certify that I am the duly chosen, qualified, and acting county treasurer of the county of , State of Oregon, and that according to records in my official custody, the total indebtedness of School District No. , in such county outstanding on the date hereof, including indebtedness of school districts that have been consolidated with such district but not including the bonds of such district amounting to $ , to be dated , is $ .*
*Dated at , in the county of , State of Oregon, this day of , 19 .*

*Treasurer or Fiscal Officer of County, Oregon*

The following or similar language will appear in the bond attorney's opinion approving the bonds.

*In our opinion the aforesaid bonds have been legally authorized, sold and issued under and pursuant to the Constitution and Statutes of the State of Oregon and constitute valid and legally binding obligations of* (Name of District) *, County, Oregon.*

*In our opinion these school district bonds, unless paid from other sources, are payable from ad valorem taxes levied upon all of the taxable property in the school district without limitation as to rate or amount, and the interest thereon is exempt from federal and State of Oregon personal income taxes under existing laws.*

ORS 328.255 concerning registration, delivery, and disposition of the proceeds of sale of, school bonds reads as follows:

**ORS 328.255. REGISTRATION OF BONDS AND NEGOTIABLE INTEREST-BEARING WARRANTS; DELIVERY; DISPOSITION OF PROCEEDS; NON-CONTESTABILITY. (1) The county treasurer or county fiscal officer shall register each school district bond, including refunding bonds, and negotiable interest-bearing warrants in a book kept for that purpose in his office, noting the school district, amount, date, time and place of payment, rate of interest and such other facts as may be deemed proper. He shall cause the bonds or warrants to be delivered promptly to the purchasers thereof upon payment therefor, and if the place of delivery is outside the city in which the county treasurer or county fiscal officer's office is situated the cost of delivery of the bonds or warrants shall be paid by the issuing school district.**

**(2) The county treasurer or county fiscal officer shall hold the proceeds of the sale of the bonds or warrants for all school districts except county school districts subject to the order of the district school board to be used solely for the purpose for which the bonds or warrants were issued. The treasurer or fiscal officer, as soon as practicable, shall deliver the proceeds of the sale of the bonds and warrants to the person designated as custodian of the county school district funds under subsection (2) of ORS 328.441.**

**(3) When the bonds or warrants have been so executed, registered and delivered, their legality shall not be open to contest by the school district, or by any person for or on its behalf, for any reason whatever.**

The school district should obtain from the bond attorneys approving the legality of the bonds a form of Arbitrage Certificate outlining the status of projects to be financed from the proceeds of the bonds. The certificate should be dated and signed as of the date the bonds are delivered to the purchaser.

*OFFICIAL RECEIPT*

*I, , County Treasurer or Fiscal Officer of County, State of Oregon, hereby certify that the Dollars ($ ) in bonds of School District No. , of County, Oregon, dated , and maturing in instalments of $ on the day of in each of the years to inclusive have been paid for to the undersigned in full by , the original purchasers thereof, in accordance with the terms of sale and award of such bonds to such purchasers, as follows:*

| | |
|---|---|
| *Principal* | *$* |
| **Premium Offered* | *$* |
| *Accrued interest from date of the bonds* | *$* |
| *Total Sale Price* | *$* |

*I further certify that such purchasers have complied in all respects with their contract and agreement for the purchase of such bonds.*

*IN WITNESS WHEREOF, I have hereunto set my hand this day of , 19 . Treasurer or Fiscal Officer of County, Oregon.*

One copy of a receipt in the above form should be executed and delivered by the county treasurer concerned, to the original purchaser of the bonds, only upon full payment by him to such treasurer, of the par value of the bonds, less discount or plus premium, as the case may be, and the full amount of accrued interest on the bonds computed from the date of the bonds to the date of delivery thereof. If the initial payment for the bonds has been made by application to the purchase price of the bonds, of the deposit made with the bid for the bonds, the amount so applied should be paid to the county treasurer before the county treasurer executes a receipt in the foregoing form.

**Modify, if bonds were sold at a discount.*

*AUTHENTICATION OF TRANSCRIPT*

*State of Oregon )*
*County of ) ss.*
*School District No. )*

*I, , hereby certify that I am the duly chosen, qualified, and acting Clerk of School District No. , in the county of , State of Oregon, and the legal custodian of the records, books, and files of such district; that the copies of minutes of meetings of the district school board of such district, notice of election held therein on the day of , 19 , copy of ballot used at such election, copy of determination of the result thereof and of all other proceedings contained in the foregoing transcript relating to the proposed $ bond issue of such district dated are full, true, and correct copies of the originals thereof as they appear in the records and files of the district in my custody as clerk thereof; and that the proof of publication and posting of notice of election, proof of publication of notice of bond sale, certificates of the county assessor and of the county treasurer or fiscal officer of the county of , State of Oregon, and the certificate concerning outstanding indebtedness of the district executed by me as clerk of the district, are original instruments.*

*Executed in the city of , county of , State of Oregon, this day of , 19 .*

*Clerk, School District No. ,*
*County, Oregon*

# OPINIONS OF ATTORNEY GENERAL
## School Bonds, Funds, Finances and Taxes


| | Volume | Biennial Report of Attorney General | Page of Report |
|---|---|---|---|
| **Bonds** | | | |
| Annexation, effect on bonds authorized | 24 | 1948-1950 | 234 |
| | 25 | 1950-1952 | 354 |
| | 26 | 1952-1954 | 129 |
| Band uniforms not purchasable with bond proceeds | 28 | 1956-1958 | 233 |
| | 29 | 1958-1960 | 411 |
| | 30 | 1960-1962 | 149 |
| | 31 | 1962-1964 | 275 |
| Bids, failure to open on date set | 17 | 1934-1936 | 804 |
| Custody and delivery of ORS 328.255(1) | 24 | 1948-1950 | 297 |
| | 26 | 1952-1954 | 40 |
| Issuance of | | | |
| Duty of School Board as to Time of Issuance | 23 | 1946-1948 | 244 |
| | 24 | 1948-1950 | 176 |
| Time of Issuance | 23 | 1946-1948 | 244 |
| | 24 | 1948-1950 | 365 |
| Maximum indebtedness | 28 | 1956-1958 | 184 |
| Registration of ORS 328.255(1) | 24 | 1948-1950 | 297 |
| Sale of | | | |
| Publication of notice of ORS 328.295 and 331.010 | | | |
| Postponement of opening bids for | 17 | 1934-1936 | 804 |
| Use of Proceeds | 24 | 1948-1950 | 119 |
| | | | 311 |
| | | | 362 |
| | | | 366 |
| | 25 | 1950-1952 | 388 |
| | 28 | 1956-1958 | 233 |
| | 30 | 1960-1962 | 149 |
| | 30 | 1960-1962 | 149 |
| | 32 | 1964-1966 | 174 |
| | | | 275 |
| Unused balance | 24 | 1948-1950 | 362 |
| | 29 | 1958-1960 | 17 |
| Tax levy for bonded debt | 28 | 1956-1958 | 122 |
| Consolidation of district | | | |
| Bonding capacity of district | 24 | 1948-1950 | 50 |
| Effect of upon bonds voted but not issued | 18 | 1936-1938 | 166 |
| | 22 | 1944-1946 | 24 |
| | 24 | 1948-1950 | 175 |
| | 29 | 1958-1960 | 90 |
| Indebtedness, responsibility for | 19 | 1938-1940 | 135 |
| | 23 | 1946-1948 | 405 |
| | 25 | 1950-1952 | 354 |
| | 26 | 1952-1954 | 127 |
| | 27 | 1954-1956 | 36 |
| Issuance of bonds after consolidation | 24 | 1948-1950 | 175 |
| Tax base, in merger | 34 | 1968-1970 | 879 |
| | 36 | 1972-1974 | 314 |
| **County Unit System** | | | |
| Effect of adoption of on bonds voted but not sold | 29 | 1958-1960 | 90 |
| Indebtedness of individual districts, responsibility for | 15 | 1930-1932 | 282 |
| | | | 452 |
| **Election** | | | |
| Bond combining propositions | 26 | 1952-1954 | 19 |
| Call by Board on motion | 12 | 1924-1926 | 217 |
| Notices, publishing or posting | 27 | 1954-1956 | 213 |
| Polls, opening and closing | 24 | 1948-1950 | 279 |
| Precinct election board members | 34 | | 39 |
| Sufficiency of notice of | 18 | 1936-1938 | 53 |
| | 24 | 1948-1950 | 35 |
| | | | 279 |
| | 32 | 1964-1966 | 195 |
| **Funds, Bond** | | | |
| Custody of | 12 | 1924-1926 | 125 |
| | 17 | 1934-1936 | 86 |
| | 24 | 1948-1950 | 32 |
| | 27 | 1954-1956 | 35 |
| | | | 193 |
| Expenditure for information purposes | 35 | 1970-1972 | 169 |
| Interest, accrued, disposition of by County Treasurer | 24 | 1948-1950 | 119 |
| | 32 | 1964-1966 | 174 |
| Investment of | 16 | 1932-1934 | 348 |
| | 25 | 1950-1952 | 342 |
| ORS 294.035 | 32 | 1964-1966 | 174 |
| **Limitation, Bond** | | | |
| Determination of limit | 28 | 1956-1958 | 184 |
| Issuance of bonds in excess of | 18 | 1936-1938 | 654 |
| | 19 | 1938-1940 | 268 |
| | 24 | 1948-1950 | 51 |

| | Volume | Biennial Report of Attorney General | Page of Report |
|---|---|---|---|
| Meetings, bond transcript to show meeting was legally called | 13 | 1926-1928 | 353 |
| | 14 | 1928-1930 | 109 |
| Prereorganization bonded indebtedness, liability for | 25 | 1950-1952 | 382 |
| Purposes | | | |
| Limited by statute | 24 | 1948-1950 | 362 |
| | 28 | 1956-1958 | 233 |
| Swimming Pools | 30 | 1960-1962 | 149 |
| Voters, qualifications | 35 | 1972 | 1149 |
| Warrants | | | |
| Negotiable interest-bearing | 14 | 1928-1930 | 109 |
| | | | 608 |
| | 19 | 1938-1940 | 268 |

## REFERENCE TO OREGON REVISED STATUTES AND SUPREME COURT DECISIONS


| ORS | Manual Page |
|---|---|
| 192.640 | 3 |
| 247.145 | 6 |
| 259.080 to 259.110 | 3 & 4 |
| 259.260 | 4 |
| 287.008 | 2 |
| 287.014 | 10 |
| 287.016 | 10 |
| 287.018 | 10 |
| 287.020 | 11 |
| 287.022 | 11 |
| 287.024 | 11 |
| 287.026 | 11 |
| 288.510 | 11 |
| 308.232 | 2 |
| 328.205 | 1 |
| 328.230 | 1 |
| 328.235 | 1 |
| 328.240 | 1 |
| 328.245 | 1 |
| 328.250 | 2 |
| 328.255 | 16 |
| 328.295 | 10 |
| 331.002 | 4 |
| 331.115 | 4 |
| 332.045 | 2 |


## SUPREME COURT DECISIONS


| | Page |
|---|---|
| In Re Board of Directors of North Unit Irrigation District, 91 Or.33, 178 Pac.186 (1919) | 4 |

## INDEX


Page

Assessment at True Cash Value . . . . . 2
Assessor, certificate of, re district valuation . . . . . 14
Attorney General, opinions re bonds and funds . . . . . 19
Ballots
  Preparation by county clerk . . . . . 7
  Form of . . . . . 7
Bonds
  Bids for, acceptance of . . . . . 14
  Callable and noncallable . . . . . 1,8,12
  Coupons, form and execution of . . . . . 1,10
  Delivery of . . . . . 16
  Denominations of . . . . . 2
  Execution of . . . . . 1
  Form of . . . . . 9
  Funding bonds . . . . . 1
  Interest rate . . . . . 1,10
  Investment of proceeds of . . . . . 19
  Limitation on issuance of . . . . . 1
  Maturities of, scheduling with tax payment dates . . . . . 2
  Noncontestability of . . . . . 16
  Notice of sale of . . . . . 12
  Place of payment of . . . . . 1
  Proceeds of sale of, disposition of . . . . . 16
  Purposes of issue . . . . . 1
  Redemption at a premium . . . . . 12
  Registration of . . . . . 16
  Resolution authorizing . . . . . 8
  Sale of . . . . . 10
  Vote required to authorize . . . . . 1
Consolidation of school district, validity of . . . . . 1
County Clerk, to prepare ballot . . . . . 7
Court Decision re computing time . . . . . 21
Debts, clerk's certificate as to . . . . . 15
District School Board
  Calling of meetings of . . . . . 2
  Meeting of . . . . . 2
  Minutes of meeting accepting bond bid . . . . . 14
Elections, bond
  Calling of . . . . . 5
  Determination of result of . . . . . 8
  Notice of . . . . . 3,7
  Officers of . . . . . 4
Grades taught, clerk's certificate as to . . . . . 15
Legal opinion
  on bond issue . . . . . 12
  on consolidation . . . . . 1
Meetings
  of school boards . . . . . 2
  Minutes of meetings of school board . . . . . 5,14
Negotiable interest-bearing warrants, registration of . . . . . 16

Notices
Affidavits of publication of . . . . . 4
Publication and posting of . . . . . 4,7
Special meetings of district school boards . . . . . 3
Opinions of Attorney General re bonds and funds . . . . . 19,20
Registration of bonds . . . . . 16
Resolutions of school board . . . . . 5,8,14
Sale of Bonds
Acceptance of bids for . . . . . 14
Advertisement of . . . . . 10
Signature and nonlitigation certificates . . . . . 15,16
Statutes re school funds, finances and taxes . . . . . 21
Time, method of computing in giving notices . . . . . 4
Transcript of bond proceedings. authentication of . . . . . 17
Treasurer or fiscal officer, county
Certificate re indebtedness and liabilities of district . . . . . 16
Receipt of, for proceeds of bond sale . . . . . 17
Registration of bonds by . . . . . 16
Valuation of school district, assessor's certificate . . . . . 14
Warrants
Funding . . . . . 1
Negotiable interest-bearing, registration of . . . . . 16
Noncontestability of . . . . . 16